

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

Case No. 06-21855-CIV-GRAHAM/WHITE

02-20001CRDLG

DERRICK LEON PERKINS,

Movant,

vs.

UNITED STATES OF AMERICA,

Respondent.

ORDER

THIS CAUSE came before the Court upon the Movant's Motion to Vacate Conviction and Sentence [D.E. 1] .

THIS MATTER was referred to the Honorable United States Magistrate Judge Patrick A. White. A Report and Recommendation dated February 3, 2006 [D.E. 11] has been submitted. The Report recommends that the Movant's Motion be dismissed as time-barred as it was filed more than one year after the Movant's conviction became final. Petitioner filed a Response to the Magistrate's Report [D.E. 12].

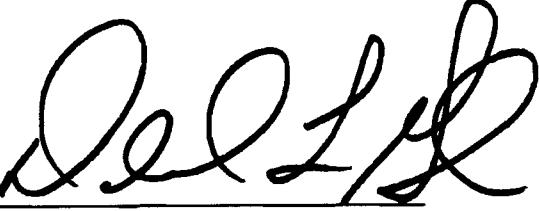
THE COURT has conducted an independent review of the file, has reviewed the Magistrate's Report and the Response/Objections thereto and is otherwise fully advised in the premises. The Court finds that Movant's Objections to the Magistrate Judge's Report are not well taken. Accordingly, it is

ORDERED AND ADJUDGED that United States Magistrate Judge White's Report [D.E. 11] is hereby RATIFIED, AFFIRMED and APPROVED

in its entirety. It is further

ORDERED AND ADJUDGED that Movant's Motion to Vacate pursuant to 28 U.S.C. §2255 is DENIED [D.E. 1]. It is further ORDERED AND ADJUDGED that this case is DISMISSED and any pending motions are hereby DENIED as moot.

DONE AND ORDERED in Chambers at Miami, Florida, this 16th day of February, 2007.



DONALD L. GRAHAM
UNITED STATES DISTRICT JUDGE

cc: U.S. Magistrate Judge White
Derrick Leon Perkins, Pro Se
All Counsel of Record